REMARKS/ARGUMENTS

After entry of this amendment, claims 1-45 are pending in the application. In this response and amendment, claims 1, 16, and 31 are amended. Applicant contends that the amendments to the independent claims (i.e., claims 1, 16, and 31) place the present case in condition for allowance and therefore should be entered after final.

In the final office action dated January 29, 2004, the examiner maintains and makes final his rejection of claims 1-45 under 35 U.S.C. § 102(e) as being anticipated by Caswell, et al (US Pat. No. 6,336,138).

The examiner also requires corrected drawings for Figures 2, 3, 8, and 9, to comply with margin requirements under 37 CFR §1.84(g), and for Figures 12, 13, 15, 16, and 18-21, to make characters uniformly thick and well defined, in accordance with 37 CFR § 1.84(k). The examiner requires the corrected drawings in reply to the office action to avoid abandonment of the application, stating that the requirement for corrected drawings will not be held in abeyance.

Drawings

The attached sheet(s) of Formal Drawings include changes to Fig(s) **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21**. The sheet(s), which include Fig(s) **1-21**, replaces the original sheet(s) including Fig(s) **1-21**.

The Formal Drawings address the examiner's comments and requirements included in the office action, namely that the margins must be corrected for Figures 2, 3, 8, and 9, under 37 CFR §1.84f(g), and that the characters must be uniformly thick and well defined for Figures 12, 13, 15, 16, and 18-21, under 37 CFR § 1.84(k).

Claim Rejections – 35 USC § 102(e)

In rejecting claims 1-45 as being anticipated by Caswell, et al (US Pat. No. 6,336,138), the examiner essentially maintains the rejections from the previous office action. Applicant, however, respectfully traverses the examiner's rejection of claims 1-45 under 35 USC §102(e), as Caswell does not disclose each and every element of claims 1-45 of the present invention.

For instance, Caswell does not disclose that the "template and server-specific data are retrieved from a service and package interdependency database that maintains relationships and associates various types of software with the server-specific data," as is recited in each of independent claims 1, 16, and 31. Caswell, at col. 12, lines 34-51, states that "each section in the service model template represents a type of node in the service model instance 40 and contains a series of instructions for creating a node in the service model instance. The service model creation engine 38 processes sections of the service model template, one at a time, attempting to match the template with elements in the discovered instance 36. Each element in the discovered instance corresponds to a section of the discovered instance specification."

As Caswell teaches creating nodes in a service model instance, containing instructions for creating nodes in the service model instance, and including a creation engine that processes sections of the template to match the template with elements in the discovered instance, Caswell does not disclose, teach or suggest the recitations of independent claims 1, 16 and 31. As recited in independent claims 1, 16, and 31, the present invention comprises a memory including a service and package interdependency database in which templates for various types of software are recorded and associated with server-specific data, and software is installed on a selected one of a number of server computer systems by retrieving a template

from the service and package interdependency database that specifies one or more parameters specifying an aspect of software to be installed and includes placeholder data in place of all server-specific data, by retrieving server-specific data from the service and package interdependency database for the selected server of the software to be installed, by replacing placeholder data of the template with the server-specific data of the selected server to form installation data; and sending the installation data to the selected server in such a manner that causes the selected server to install the software in accordance with the installation data.

Caswell also does not disclose or suggest a template which includes placeholder data in place of all server-specific data, where the placeholder data exists in program modules, configuration data files, or installation scripts, as is recited in each of independent claims 1, 16, and 31. For instance, column 18, lines 19-27, states that Caswell allows an "ISP to specify its organizational structure using the configuration interface 60 previously described with reference to FIG. 3. The service model template 34 is pre-specified to exploit the configuration specification and to generate a service model instance that is customized to each ISP. The main advantage of this approach is that the ISP operator only has to primarily edit the configuration specification, which is much less complex than editing the service model template 34."

Accordingly, Caswell does not disclose, teach or suggest the recitations of the independent claims of the present invention, where a master server retrieves server-specific information for the selected server, substitutes the retrieved server-specific data for the placeholder data to form server-specific installation data, and transports the server-specific installation data to the selected server for execution.

Finally, Caswell discloses, at column 8, line 61, through column 9, line 46, an overview of instantiation that teaches, in short, a process for generating the discovered instance, discusses generation of the service model template for the service of interest, teaches a discovery template to discover the types of services and service elements to be discovered, and discloses discovery modules, where all of the above are used by a management system to form a service model instance. Column 8, line 61, through column 9, line 46, of Caswell also teaches a configuration interface 60 that serves as a way for an ISP operator to quickly customize the service model instance 40 that is generated by the process. Using the configuration interface, the operator can also specify categorization criteria for services and service elements. Accordingly, the activity of Caswell does not disclose, teach or suggest the recitations of the independent claims is just not occurring, and is not required, in the present invention. Accordingly, Caswell does not identically describe each and every element set forth in the independent claims recited in the present application.

Since Caswell does not disclose each and every element set forth in independent claims 1, 16, and 31, and therefore does not disclose each and every element of claims 1-45, as detailed above, applicant respectfully requests that the examiner withdraw the rejections of claims 1-45 under 35 U.S.C. § 102(e).

CONCLUSION

In light of the above amendments and remarks, applicant submits that pending claims 1-45 are in condition for allowance and respectfully requests that examiner issue an early notice of allowance.

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